

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al	)	ORDER:
- vs -	)	IN RE: ORAL APPLICATION
	)	OF THE ACCUSED TOJO AND
ARAKI, Sadao; et al	)	OTHERS TO PRODUCE A WITNESS
	)	FOR CROSS EXAMINATION.

This matter coming on for hearing by the Tribunal, in Open Court, on the 5th day of December, 1946, upon the oral application of the accused TOJO, Hideki, by his Counsel of record, for himself and on behalf of those other accused similarly situated, for an order of the Tribunal summoning Joseph Theodoor Van Amstel to appear as a witness in this case before the Tribunal for the purpose of cross examination by the accused TOJO, Hideki, and by other accused similarly situated, or their respective Counsel of record, and it appearing to the Tribunal that on the 5th of December, 1946, certain testimony of the said Joseph Theodoor Van Amstel was introduced into evidence in this case by the Prosecution in the form of a sworn statement made and executed by the said Van Amstel, and dated 10th April, 1946, which sworn statement is identified as Prosecution document No. 2620A, and Court Exhibit No. 1341; and the Tribunal hearing the arguments of Counsel, and being fully advised in the premises; it is the decision of a majority of the Justices of the Tribunal, and

ORDERED: That said oral application for the issuance of a summons to produce before the Tribunal

Joseph Theodoor Van Amstel for cross examination, is denied;  
and it is further

ORDERED: That every facility and assistance be  
provided to Counsel for the accused TOJO, and other accused  
in like circumstance, to submit written interrogatories to,  
or verbally interrogate, the said Joseph Theodoor Van Amstel  
at the place where he may now reside or be located in the  
Netherlands East Indies; and it is further

ORDERED: That said oral application of the accused  
TOJO, and others in like circumstance, for the issuance of  
a summons for the production of the said witness Joseph  
Theodoor Van Amstel for cross examination, be indefinitely  
continued, awaiting the results and disclosures of the inter-  
rogations hereinbefore authorized and ordered, and the ac-  
cused are granted permission to renew their application for  
the issuance of a summons for such witness if it be found  
necessary to their proper defense in this case, as a result  
of said interrogations.

Dated at Tokyo, Japan, this 27 December, 1946.

BY THE TRIBUNAL:

(Signed) W. F. Webb  
PRESIDENT

SITTING:

The Honorable Sir William Webb  
The Honorable Mr. Justice Northcroft  
Lord Patrick  
The Honorable Mr. Justice Mei  
Major General of Justice I. M. Zaryanov  
Major General Myron C. Cramer  
The Honorable Mr. Justice McDougall  
The Honorable Mr. Justice Bernard  
The Honorable Mr. Justice Pal  
The Honorable Mr. Justice Roling  
The Honorable Mr. Justice Jaranilla